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FORM

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Total Number of Pages in This Submission

	Application Number	10/789,050
	Filing Date	27 February 2004
	First Named Inventor	Paul M. Baggensloss
	Art Unit	2624
	Examiner Name	John W. Lee
3	Attorney Docket Number	84513

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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Remarks		
Restriction Requirement		
The USPTO has authorization to charge and credit any fees to deposit account no. 14-0590		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Naval Undersea Warfare Center, Division Newport		
Signature			
Printed name	James M. Kasischke		
Date	12 June 2007	Reg. No.	36562

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

James M. Kasischke

Date

12 June 2007

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Attorney Docket No. 84513

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: PAUL M. BAGGENSTOSS
Serial No.: 10/789,050
Filed: 27 February 2004
For: CHAIN RULE PROCESSOR

Group Art Unit: 2624
Examiner: JOHN W. LEE
Customer No. 23523

ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT OF 35 USC 121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement made by the Examiner in the Office Action dated 24 May 2007, Applicant elects species III with traverse. The Office Action identified this as the species corresponding to FIG. 4. All claims are readable on all of the identified species. Applicant elects claims 1-7 for further prosecution.

In traversal of the Office Action's restriction requirement, Applicant suggests that this restriction requirement is improper according to Chapter 35 United States Code Section 121 and Section 800 of the Manual of Patent Examining Procedure (MPEP). Section 121 provides in part, "If two or more independent and distinct inventions are claimed in one application, the Director may require the application to be restricted to one of the inventions." [Emphasis Added]. Applicant respectfully suggests that since the application includes generic claims 1-7 and no species claims, the Director has no statutory authority to issue

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a restriction requirement. In view of the lack of statutory authority, Applicant respectfully requests reconsideration and removal of this requirement.

Even if statutory authority is found for this requirement, Applicant suggests that the requirement was not made in accordance with MPEP § 809.02(a). Contrary to this rule, the Office Action did not provide reasons why the species are independent or distinct. The Office Action does not give any reasons for issuing the restriction requirement other than "applicant discloses different embodiments for implementing the invention." Applicant suggests that he is entitled to disclose different embodiments for implementing the invention in a single patent application. Factors that distinguish this application from any other application presenting multiple embodiments are not provided.

Applicant reserves the right to petition to correct this matter. Please call the undersigned at 401-832-3653 to discuss this matter.

Respectfully Submitted,
PAUL M. BAGGENSTOSS

11 June 2007

By James M. Kasischke
JAMES M. KASISCHKE
Attorney of Record
Reg. No. 36562